



## ***SPECIAL COMMITMENT CENTER***

*Pierce County, Washington*

Title: Resident Businesses

Special Commitment Center Policy Number: 213

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**Authorizing Source:** Chapter 42.52 RCW, DSHS Administrative Policy 6.04,  
DSHS Personnel Policy 540

**Effective Date:** July 1, 1998

**Re-Issued:** May 31, 2002

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**Approving Authority:** MSG **Date:** 5/31/02

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### ***PURPOSE***

This policy establishes requirements for residents who intend to run a personal business while residing in the Special Commitment Center (SCC), the McNeil Island Secure Community Transition Facility (SCTF), or the SCC facility for women at Purdy (SCCW).

### ***SCOPE***

This policy applies to any business licensed to or operated by a resident of the SCC, McNeil Island SCTF, or the SCCW.

### ***DEFINITIONS***

*Pursuant to Labor and Industry guidelines:*

**RESIDENT BUSINESS** is defined as occupation, work, or trade in which an individual is engaged for profit without any kind of assistance from any state resource.

### ***POLICY***

- I. Use of State Resources Prohibited.
  - A. Administrative Policy 6.04 (3) states: "A DSHS employee, anywhere in the chain of command, shall not create the appearance of using the employee's position for private gain or advantage, *or benefit of others.*" [Emphasis added.]
  - B. DSHS Personnel Policy 540, as authorized by 42.52 RCW, prohibits any DSHS employee from engaging in any transaction that may result in a conflict of interest or using the power and authority of the employee's position in a manner intended to induce or coerce another person to provide the employee or any other person with anything of economic or personal value, directly or indirectly.
  - C. Therefore, the SCC, through its staff or other representatives, *shall not provide* to any resident the use of any state resource in the development or carrying out any resident business activity. This prohibition includes, but is not limited to: staff time, telephone lines, space, postage, stationery, copying, office supplies and any other item or service purchased at state expense.

- D. State addresses, including the address of the Special Commitment Center, may not be used. Resident business correspondence must state the name of the business, the name of the resident, and must use the resident's SCC mailing address or package address as specified in policy 202, *Postage and Mail*.
  - 1. The resident must include in the address only the letters "SCC" or must specify "In **Care of the Special Commitment Center (SCC).**"
  - 2. No resident-originated mail may represent the Special Commitment Center as the source or recipient of the correspondence or the resident as an SCC or state employee.
- E. Hobby and related resources may not be used for private gain or business purposes.
  - 1. A hobby product belongs to the person who makes it and can be given as a gift to someone other than an SCC resident or staff person.
  - 2. If a hobby product is traded or sold, the sale or trade is a commercial transaction. Repeated commercial transactions constitute a business and fall under this policy.
  - 3. Access to hobby tools, supplies, spaces, and equipment must be denied if used for a business purpose.
- II. A resident may administer a legitimate off-site business or operate a business within the SCC.
  - A. If operating a business within the SCC, the resident must inform the assigned Forensic Therapist or the Residential Care Manager or designee who shall document the fact in the resident's clinical chart.
  - B. For any business-related activity the resident must:
    - 1. Obtain a legal business license within the state of Washington,
    - 2. Provide a copy of the business license to the SCC accounting office (mainland) prior to any business-related expenditure or deposit involving the resident's trust account,
    - 3. Not buy from or sell to SCC residents,
    - 4. Not employ another SCC resident.
  - C. **No business operated by or licensed by a current or former SCC resident may be approved as a vendor for resident purchases.**
- III. Tax Liability and Legal Requirements.
  - A. Resident businesses, for all sales made within the state of Washington, are required to collect and report sales tax and pay a business and occupation tax on all sales made within the State of Washington.
  - B. Obligations for the operation of a business are the sole responsibility of the resident, who is responsible to know and to follow state and federal law and regulations.